

104TH CONGRESS
2D SESSION

H. R. 4235

To amend the Fair Housing Act to prevent certain abuses.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 1996

Mr. FOX of Pennsylvania introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Fair Housing Act to prevent certain abuses.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Housing Amend-
5 ments Act of 1996”.

6 **SEC. 2. LIMITATIONS ON LITIGATION.**

7 Section 813 of the Fair Housing Act is amended by
8 adding at the end the following:

9 “(f) LIMITATION ON LITIGATION.—No person may
10 commence a civil action under this section with respect
11 to a discriminatory housing practice relating to a particu-
12 lar dwelling who cannot demonstrate, upon motion by the

1 defendant, that such person has the ability and intent to
 2 inhabit the dwelling if the dwelling is offered to that per-
 3 son.”.

4 **SEC. 3. REQUIRING INTENTIONAL DISCRIMINATION FOR**
 5 **DISCRIMINATORY HOUSING PRACTICE.**

6 Section 802(f) of the Fair Housing Act is amended
 7 by inserting “, committed with the intent to discriminate,”
 8 after “act”.

9 **SEC. 4. EXEMPTION RELATING TO PUBLISHING OF INFOR-**
 10 **MATION.**

11 Section 807 of the Fair Housing Act is amended by
 12 adding at the end the following:

13 “(c) Nothing in this Act shall be construed to permit
 14 the imposition of any liability for a discriminatory housing
 15 practice on any publisher of information, such as a news-
 16 paper, that reasonably relies on the advertising copy pre-
 17 sented for publication.”.

18 **SEC. 5. LITIGATION COSTS.**

19 Section 812(c)(2) of the Fair Housing Act is amend-
 20 ed by striking “the court, in its discretion, may allow the
 21 prevailing party” and inserting “the court shall allow the
 22 prevailing party (whether plaintiff or defendant)”.

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